

01/14/02

UTILITY PATENT APPLICATION TRANSMITTAL <small>For new nonprovisional applications under 37 CFR 1.53(b)</small>	Attorney Docket No.	N1328-004
	First Inventor	Wayne P. FITZMAURICE
	Title	Interspecific Nicotiana Hybrids and Their Progeny
Express Mail Label:		

☒ **Assignee Information: LARGE SCALE BIOLOGY CORPORATION**
APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
3. ☒ Specification Total pages [26]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross references to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) (Total Sheets) []
5. ☒ Oath or Declaration (Total Pages) [1]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application,
6. ☒ Application Data Sheet.

**ADDRESS TO: Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231**

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

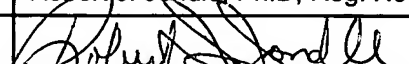
9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
 - ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement /PTO 1449
 - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s).
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
17. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76::

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/353,787
 Prior application information: Examiner Jane Zara Group/Art Unit 1635

 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☒ Customer Number or Bar Code Label **6449**

Address	Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031
Name	Robert J. Jondle, Ph.D, Reg. No. 33,915				
Signature				Date	January 11, 2002

FEE TRANSMITTAL for FY 2001 (Small Entity)		Complete if Known	
		Application Number	10/
		Filing Date	
		First Named Inventor	Wayne P. FITZMAURICE
		Examiner Name	
		Group Art Unit	
Total Amount of Payment	(\$370.00)	Attorney Docket Number	N1328-004

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

☒ Payment Enclosed:

☒ Check

☐ Credit Card

FEE CALCULATION
1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
201	370	Utility filing fee	[370.00]
206	165	Design Filing Fee	[]
207	255	Plant Filing Fee	[]
208	370	Reissue Filing Fee	[]
244	80	Provisional Filing Fee	[]

SUBTOTAL \$370.00

2. CLAIMS

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[18]	[]	[]	- 20** = []	x \$9 = []	[]
[3]	[]	[]	- 3** = []	x 42 = []	[]
			+ 140 = []		[]

**or number previously paid, if greater;

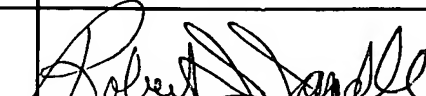
SUBTOTAL \$

FEE CALCULATION (continued)
3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[]
227	25	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
215	55	Extension for reply within first month	[]
216	200	Extension for reply within second month	[]
217	460	Extension for reply within third month	[]
218	720	Extension for reply within fourth month	[]
228	980	Extension for reply within fifth month	[]
219	160	Notice of Appeal	[]
220	160	Filing a brief in support of an appeal	[]
221	150	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
240	55	Petition to revive -unavoidable	[]
241	640	Petition to revive - unintentional	[]
242	640	Utility issue fee (or reissue)	[]
243	230	Design issue fee	[]
244	310	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
246	370	Filing a submission after final rejection (37 CFR .129(a))	[]
249	370	For each additional invention to be examined (37 CFR 1.129(b))	[]
279	370	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing an application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Robert J. Jondle, Reg. No. 33,915				
SIGNATURE		DATE	January 11, 2002	DEPOSIT ACCOUNT USER ID	